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# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

June 7, 2010

To: Supervisor Gloria Molina, Chair  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

## **STATUS REPORT ON THE MOTION TO CREATE A POOR PERFORMING CONTRACTOR DATABASE (RESPONSE TO ITEM NO. 26-C, AGENDA OF APRIL 27, 2010)**

On April 27, 2010, on motion by Supervisor Ridley Thomas, as amended by Supervisors Knabe and Yaroslavsky, your Board directed the Chief Executive Officer, Auditor-Controller, County Counsel and the Director of Internal Services to establish a work group to report back on the following:

1. An examination of what mechanisms and/or databases the County already has in place to monitor its contractors, so the County can utilize what is currently working;
2. A more appropriate term than the "Do Not Call List," for the database that will track the County's poorly performing contractors;
3. A clearly defined purpose for the list;
4. A mechanism to remove contractors from the list that have complied with their obligations, along with appropriate notification;
5. Clearly defined roles and responsibilities for County staff charged with updating this list; and
6. Define poorly performing contractors.

This office worked diligently with staff from Auditor-Controller, County Counsel, Internal Services, as well as other departments, to obtain the information requested in the motion. To date, the main workgroup convened to discuss what assets the County already has in place that can be leveraged for this effort. A subcommittee was established to finalize this review and to create recommendations for the Poor

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Each Supervisor  
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Performer Database policy as requested by your Board. Lastly, the work group has reached out to the City of Los Angeles, which utilizes a contract performance database to grade their contractors. City staff have agreed to brief County staff on June 7, 2010 on the City evaluation policy and processes.

If you have any questions, please have your staff contact Ellen Sandt at (213) 974-1186 or [esandt@ceo.lacounty.gov](mailto:esandt@ceo.lacounty.gov).

WTF:BC:EFS  
SAW:ef

c:     Executive Office, Board of Supervisors  
        Auditor-Controller  
        County Counsel  
        Internal Services



**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-3873  
PHONE: (213) 974-8301 FAX: (213) 626-5427

WENDY L. WATANABE  
AUDITOR-CONTROLLER

MARIA M. OMS  
CHIEF DEPUTY

ASST. AUDITOR-CONTROLLERS

ROBERT A. DAVIS  
JOHN NAIMO  
JUDI E. THOMAS

August 9, 2010

TO: Supervisor Gloria Molina, Chair  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

FROM: Wendy L. Watanabe  
Auditor-Controller

SUBJECT: **CONTRACTOR ALERT REPORTING DATABASE STATUS REPORT**  
(Board Agenda Item 26-C, April 27, 2010)

On April 27, 2010, your Board directed the Chief Executive Officer (CEO), Auditor-Controller (A-C), County Counsel (Counsel), and the Director of Internal Services (ISD) to establish a work group to report back on the following:

- An examination of what mechanisms and/or databases the County already has in place to monitor its contractors, so the County can utilize what is currently working;
- A more appropriate term than the "Do Not Call List", for the database that will track the County's poorly performing contractors;
- A clearly defined purpose of the list;
- A mechanism to remove contractors from the list that have complied with their obligations, along with appropriate notification;
- Clearly defined roles and responsibilities for County staff charged with updating this list;
- Define poorly performing contractors;
- A mechanism to notify poorly performing contractors that they will be placed on this list absent sufficient corrective action and/or restitution steps; and
- A standard report or information sheet on a monthly basis, to alert County departments when poorly performing contractors are identified.

Board of Supervisors  
August 9, 2010  
Page 2

The four key Departments are working with representatives from Community and Senior Services, the Departments of Mental Health, Probation, Public Health, Health Services, and Children and Family Services to finalize our review. We expect to issue our report to your Board by August 20, 2010. Please call me if you have any questions or your staff may contact Don Chadwick at (213) 253-0301.

WLW:MMO:JET:DC

c: William T Fujioka, Chief Executive Officer  
Sachi Hamai, Executive Officer, Board of Supervisors  
Andrea Sheridan Ordin, County Counsel  
Tom Tindall, Director, Internal Services Department  
Public Information Office  
Audit Committee



**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-3873  
PHONE: (213) 974-8301 FAX: (213) 626-5427

WENDY L. WATANABE  
AUDITOR-CONTROLLER

MARIA M. OMS  
CHIEF DEPUTY

ASST. AUDITOR-CONTROLLERS

ROBERT A. DAVIS  
JOHN NAIMO  
JUDI E. THOMAS

September 16, 2010

TO: Supervisor Gloria Molina, Chair  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

FROM: Wendy L. Watanabe  
Auditor-Controller

A handwritten signature in cursive script, appearing to read "Wendy L. Watanabe", is written over the printed name and title.

SUBJECT: **CONTRACTOR ALERT REPORTING DATABASE STATUS REPORT**  
**(Board Agenda Item 26-C, April 27, 2010)**

This is our second status report on establishing a mechanism to alert County departments of poorly performing contractors. On April 27, 2010, your Board directed the Chief Executive Officer (CEO), Auditor-Controller (A-C), County Counsel (Counsel), and the Director of Internal Services (ISD) to establish a work group to report back on the following:

- An examination of what mechanisms and/or databases the County already has in place to monitor its contractors, so the County can utilize what is currently working;
- A more appropriate term than the "Do Not Call List", for the database that will track the County's poorly performing contractors;
- A clearly defined purpose of the list and a definition of poorly performing contractors;
- Clearly defined roles and responsibilities for County staff charged with updating this list;



- A mechanism to remove contractors from the list that have complied with their obligations, along with appropriate notification;
- A mechanism to notify poorly performing contractors that they will be placed on this list absent sufficient corrective action and/or restitution steps; and
- A standard report or information sheet on a monthly basis, to alert County departments when poorly performing contractors are identified.

We provided the first status report on June 7, 2010 and indicated that we have convened the work group to address each Board-direction action including a plan to carry out these actions.

### **Work Group Achievements**

Representatives from the CEO, A-C, Counsel, ISD, Departments of Children and Family Services, Community and Senior Services, Health Services, Mental Health, Probation, Public Health, and Public Social Services formed the work group to develop a mechanism to monitor poorly performing contractors. The work group has held multiple meetings to address the Board motion and the following provides the results or highlights of each action item listed above.

### **Examine and Review Existing Mechanisms or Databases**

The work group reviewed various existing County systems or mechanisms including three contract-monitoring systems, maintained by the Department of Public Works (DPW), ISD, and the City of Los Angeles Public Works (City), respectively.

DPW uses its system to manage approximately 300 active contracts and 1,300 expired contracts. This includes tracking the contract terms to ensure DPW completes contract solicitations timely. ISD uses its system to track the performance of approximately 400 active Proposition A, information technology, construction and cafeteria contracts. The City uses an Access (Microsoft Office Suite Product) database to track the performance of their personal service and construction contracts. Additionally, the City uses the database when selecting new contractors during the solicitation process.

The work group concluded that while each system serves its purpose for the respective agency, none of the three systems was ideal or would meet the general requirements of an alert system. For instance, using the DPW or the City System would require significant software modifications and/or additional hardware configuration to allow broad Countywide usage. Further, use of any of the three systems would require County staff to duplicate the data entry efforts since certain data is captured elsewhere within the County.

As a result, the work group recommended using the existing County's enterprise-based financial eCAPS System as the most effective means to alert County departments of contractors performing poorly. The A-C will put in place minor enhancement to the already-existing data structure. This mechanism is the most cost effective and the most efficient since the information technology infrastructure and architecture already exists within eCAPS.

Using eCAPS will provide County departments with access to shared information electronically when contractors do not comply with the County's fiscal, program or administrative policies and guidelines. In addition, using eCAPS reduces the amount of time for data entry required by staff since eCAPS already captures key contractor information.

### **Appropriate Term to Use As the Tracking Database**

The work group suggested naming the new Countywide monitoring system as the Contractor Alert Reporting Database (CARD). This term replaces the initial temporary name of "Do Not Call List".

### **Purpose of List and Definition of Poorly Performing Contractors**

As of September 1, 2010, Los Angeles County has approximately 7,500 active contracts; 4,300 are within the health and mental departments, 1,200 are within children and family well-being departments, 800 within public safety departments, 600 within operation departments and 600 within community and municipal services departments.

With the exception of Proposition A, information technology, construction and cafeteria contractors, the County currently does not maintain a central depository of information to track contractor performance. Overall, County departments adhere to County contracting policies and guidelines, developed by ISD in concert with County Counsel. However, each department handles its own contract process independently.

Additionally, County contract managers may share contractor performance information among themselves on a limited basis. However, the County does not have a systematic approach to identify poorly performing contractors who are bidding for service contracts in multiple County departments.

The purpose of a poorly performing contractor list is to provide a central depository (shared data base) within the County, so that departments' contract administration personnel can benefit from this information during the competitive solicitation process for contract services. In addition, County departments can periodically access the listing of poorly performing contractors to identify existing County contractors that may need increased levels of monitoring.



The work group defined poorly performing contractors as existing contractors that had prior well-documented contract compliance issues that were material and had a significant impact to the County and/or program participants. Prior to awarding additional County contracts, it is imperative for departments to be fully aware of any deficiencies.

#### **Roles and Responsibilities for County Staff Charged with Updating the List**

The work group developed general guidelines to assist County staff in identifying contractors that are performing poorly (Attachment A). These guidelines identify and define what County staff may use to determine whether an alert should be placed on a contractor. For example, does the contractor owe money to the County or has the contractor taken the appropriate steps to correct previously identified contract non-compliance.

The guidelines also instruct County staff to take into consideration the materiality of the reportable conditions, such as the dollar amount owed to the County, the pattern and number of occurrences, and impact to the County or program participants. The A-C will develop training materials to County staff and provide further guidance relating to materiality.

#### **Mechanism to Notify Contractors When Poor Performers Are Placed on the List; Mechanism to Remove Poor Performers from the List**

These two action items are not yet completed. The work group will continue to convene and develop the mechanisms necessary to notify contractors when poor performance occurred according to the defined guidelines. Additionally, the work group will develop the mechanisms needed to remove contractors from the list when they have complied with their obligations.

#### **Monthly Standard Report or Information Sheet for Departments**

The A-C completed an initial screen design of CARD for users to update the database (Attachment B). We anticipate a CARD system prototype will be ready for testing in October 2010, with final system implementation by April 2011.

County staff will be able to view contractors listed in CARD using the eCAPS screens. In addition, the A-C's Systems Division will develop standard reports using the information in the CARD database. For example, County staff will have the ability to generate a report of contractors listed in CARD sorted by department, by nature of service, or by supervisorial district.

**Future Action**

The work group will also develop and coordinate training of County staff and identify clear roles and responsibilities for County departments to update CARD and maintain the database. The training will include procedures to query and obtain various summary reports on the poorly performing contractors placed on CARD.

We thank the various departments that participated in the work group discussions and assisted in developing the guidelines. We will report to your Board on or after April 2011 with the final implementation status.

Please call us if you have any questions or your staff may contact Don Chadwick, Division Chief, Contract Monitoring Division, Auditor-Controller at (213) 253-0301.

WLW:MMO:JET:DC

Attachments

c: All Department Heads  
Public Information Office  
Audit Committee

## **County Alert Reporting Database Draft Guidelines**

### **Placing a Contractor in the Contract Alert Reporting Database (CARD)**

Before placing a contractor in CARD, the County may consider the materiality of the noted issues, such as the dollar amount owed to the County, the pattern and number of occurrences, and impact to the County and/or program participants. In addition, the County needs to maintain sufficient documentation that supports placing a contractor in CARD.

The County may use, but are not limited to the following guidelines when deciding to place a contractor in CARD:

1. The contractor owes the County for overpayments and/or questioned costs and has not entered into a repayment agreement or agreed to pay the County back, or has been referred to the Treasurer and Tax Collector for collections.
2. The contractor has not taken the appropriate steps to correct documented areas of contract non-compliance in a timely manner.
3. The contractor's principal officers have previously been debarred by the County or other governmental entities.
4. The contractor has experienced financial, administrative, programmatic or pending legal issues that affect their ability to comply with the County contract requirements. Examples of these issues include, but are not limited to the following:
  - Bankruptcy
  - Loss of licenses
  - Failure to pay property or payroll taxes
  - Financial viability concerns
  - Lack of qualified staff
  - Amount of expenditures that were disallowed or undocumented
  - Lack of insurance
  - Poor program services
  - Assessment of any fines and/or penalties by public entities
5. The County has instituted contractual remedies against the contractor due to non-compliance with the County contract requirements. Examples of these contract remedies include, but are not limited to the following:
  - Terminated for convenience
  - Terminated for default
  - Assessing liquidated damages
  - Adjusting the contractor's funding
  - Not renewing the contract
  - Debarring the contractor



## CARD – Issues Tab

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Issues

Audits

## Contractor Alert Reporting Database Issues

Dept	Reporting	Sub Reporting	Vendor	Vendor Name
✓ AU	03FAP0701	BS01	000066	A-1 VISUAL SYSTEM
AU	03FAP0701	AM01	000066	ICBM INCORPORATED
CH	H-207500	BS01	000221	ACME LINEN CO INC
FR	00-305	BS01	000469	ALLIED/FERGUSON ENTERPRISES
SH	00-502	BS01	000585	WHITE CAP BURKE

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## Contract Information

Department:  Record Create Date:  Issues Exist: ☒  
 Reporting Code:  Reporting Active: ☐ Audits Exist: ☐  
 Sub Reporting Code:  Sub Reporting Active: ☐  
 Vendor ID:  Legal Name:

## Issues Information

## Issues:

- ☒ The contractor has not made an effort to repay the County for questioned costs.  
☒ The contractor has not implemented a corrective action plan in a timely manner.  
☐ The contractor's principal officers have previously been debarred.  
☐ The contractor has material financial, administrative, programmatic or pending legal issues.  
☐ The County has instituted contractual remedies against the contractor.

Unresolved Issues: ☒

Issue Date:	Resolved:	Resolved Date:
<input type="text" value="06/01/2010"/>	<input checked="" type="checkbox"/>	<input type="text" value="06/01/2010"/>
<input type="text" value="06/03/2010"/>	<input type="checkbox"/>	<input type="text"/>
<input type="text"/>	<input type="checkbox"/>	<input type="text"/>
<input type="text"/>	<input type="checkbox"/>	<input type="text"/>
<input type="text"/>	<input type="checkbox"/>	<input type="text"/>

Contact Name:  Contact Phone:  Contact Unit:  Contact Email:

## General Information

## Comments:

## CARD – Audits Tab

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Issues

Audits

## Contractor Alert Reporting Database Audit

Dept	Reporting	Sub Reporting	Vendor	Vendor Name	Audit Name	Audit Number
✓ AU	03FAP0701	BS01	000066	A-1 VISUAL SYSTEM	Audit 1	1

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## Contract Information

Department:  Record Create Date:   
 Reporting Code:  Reporting Active: ☐  
 Sub Reporting Code:  Sub Reporting Active: ☐  
 Vendor ID:  Legal Name:

## Audit and Legal Information

Audit Organization:  Audit Date:  No Issues Found: ☐ Audit Number:   
 Audit Name:  Audit URL:

## Audit Contact Information:

Contact Name:  Contact Phone:  Contact Unit:  Contact Email:

## County Counsel Contact Information:

Contact Name:  Contact Phone:  Contact Unit:  Contact Email:





**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-3873  
PHONE: (213) 974-8301 FAX: (213) 626-5427

WENDY L. WATANABE  
AUDITOR-CONTROLLER

ASST. AUDITOR-CONTROLLERS

ROBERT A. DAVIS  
JOHN NAIMO  
JUDI E. THOMAS

May 13, 2011

TO: Supervisor Michael D. Antonovich, Mayor  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM: Wendy L. Watanabe  
Auditor-Controller

A handwritten signature in black ink, reading "Wendy Watanabe", is written over the printed name and title.

SUBJECT: **EXTENSION REQUEST FOR OUR FINAL STATUS REPORT ON THE  
CONTRACTOR ALERT REPORTING DATABASE (Board Agenda Item  
26-C, April 27, 2010)**

On April 27, 2010, your Board directed the Chief Executive Officer, Auditor-Controller, County Counsel, and the Director of Internal Services to establish a work group to report back on the following:

- An examination of what mechanisms and/or databases the County already has in place to monitor its contractors, so the County can utilize what is currently working;
- A more appropriate term than the "Do Not Call List", for the database that will track the County's poorly performing contractors;
- A clearly defined purpose of the list and a definition of poorly performing contractors;
- Clearly defined roles and responsibilities for County staff charged with updating this list;
- A mechanism to remove contractors from the list that have complied with their obligations, along with appropriate notification;

- A mechanism to notify poorly performing contractors that they will be placed on this list absent sufficient corrective action and/or restitution steps; and
- A standard report or information sheet on a monthly basis, to alert County departments when poorly performing contractors are identified.

We provided our first status report to your Board on August 9, 2010 and our second status report on September 16, 2010. In addition, in March 2011, we provided a CARD demonstration to the Audit Committee members and to the County's executive managers. We expect to complete the implementation of the contractor alert reporting database in June 2011 and issue our final report to your Board by June 30, 2011.

Please call me if you have any questions or your staff may contact Don Chadwick, Division Chief, Contract Monitoring Division, at (213) 253-0301.

WLW:JET:DC

c: William T Fujioka, Chief Executive Officer  
Sachi A. Hamai, Executive Officer, Board of Supervisors  
Andrea Sheridan Ordin, County Counsel  
Tom Tindall, Director, Internal Services Department  
Public Information Office  
Audit Committee



**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-3873  
PHONE: (213) 974-8301 FAX: (213) 626-5427

WENDY L. WATANABE  
AUDITOR-CONTROLLER

ASST. AUDITOR-CONTROLLERS

ROBERT A. DAVIS  
JOHN NAIMO  
JAMES L. SCHNEIDERMAN  
JUDI E. THOMAS

July 11, 2011

TO: Supervisor Michael D. Antonovich, Mayor  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM: Wendy L. Watanabe  
Auditor-Controller

A handwritten signature in cursive script, reading "Wendy L. Watanabe", is written over the printed name and title.

SUBJECT: **CONTRACTOR ALERT REPORTING DATABASE FINAL REPORT  
(Board Agenda Item 26-C, April 27, 2010)**

This is our final status report on establishing a mechanism to alert County departments of poorly performing contracts. On April 27, 2010, your Board directed the Chief Executive Officer (CEO), Auditor-Controller (A-C), County Counsel and the Director of Internal Services (ISD) to establish a work group and report back on the following:

- An examination of what mechanisms and/or databases the County already has in place to monitor its contractors, so the County can utilize what is currently working;
- A more appropriate term than the "Do Not Call List" for the database that will track the County's poorly performing contractors;
- A clearly defined purpose of the list and a definition of poorly performing contractors;
- Clearly defined roles and responsibilities for County staff charged with updating this list;
- A mechanism to remove contractors from the list that have complied with their obligations, along with appropriate notification;

- A mechanism to notify poorly performing contractors that they will be placed on this list absent sufficient corrective action and/or restitution steps; and
- A standard report or information sheet on a monthly basis, to alert County departments of poorly performing contractors.

We issued the work group's first status report on June 7, 2010, and the second status report on September 16, 2010. This is our final status report.

### **Implementation**

In response to your Board's request, staff from the CEO, A-C and seven other County departments worked collaboratively to develop the Contractor Alert Reporting Database (CARD or System). CARD is a centralized online database for departments to track poorly performing contractors, within the County's eCAPS enterprise accounting application. CARD will improve interdepartmental oversight and communication regarding contractor performance issues.

CARD was implemented on July 1, 2011 for departments to begin posting contractor performance issues. In addition, departments will be required to use CARD to screen proposers as part of the evaluation process for solicitations issued after August 1, 2011.

CARD will allow all departments to review contractor performance issues in other departments by having the issues posted to the System. Under the CARD procedure manual, departments will be responsible for:

- Identifying performance issues that may justify placing a contractor in CARD;
- Giving contractor's due process to respond to the issue(s) before they are placed in CARD. The due process gives contractors several opportunities to resolve the issue(s) to avoid being placed in CARD;
- Placing a contractor in CARD;
- Working with contractors to resolve the issue(s) and updating a contractor's status in CARD to indicate when the issue(s) has been resolved;
- Using CARD to evaluate proposers during the contract solicitation process, including standard point deductions for contractors listed in CARD when scoring proposals that include prior County contract history.

As part of the implementation process, we have conducted CARD training classes for over 400 County managers and staff, and demonstrated the System to County executive staff and Board deputies. We also developed and distributed a CARD User Manual (Manual), which provides instructions on how to use CARD.



A-C staff will continue to provide technical support and assist County departments, on an as-needed basis, to address CARD-related concerns, such as determining when contractors should be placed in the CARD.

### **Outcome**

Implementing CARD will help improve departments' oversight of their contractors, and provide a method for sharing contractor performance issues among County departments. CARD will also help standardize the County's contract monitoring, contractor due process rights and issue resolution processes. We also expect that CARD will provide an incentive for contractors to address any performance issues before they are posted on the System. Finally, using CARD as part of the evaluation process will hold contractors more accountable for their work in all departments.

### **Acknowledgements**

We thank the CEO, County Counsel, ISD, and the Departments of Children and Family Services, Health Services, Mental Health, Public Health, and Public Social Services for their assistance in developing and implementing the CARD system.

Please call me if you have any questions, or your staff may contact Don Chadwick at (213) 253-0301.

WLW:JLS:DC

c: All Department Heads  
Public Information Office  
Audit Committee